

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

222-05

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/539,100

INTERNATIONAL APPLICATION NO.  
PCT/FR03/003740INTERNATIONAL FILING DATE  
16 December 2003PRIORITY DATE CLAIMED  
16 December 2002

TITLE OF INVENTION

USE OF THICKENING AGENTS FOR PRODUCING SOFT CAPSULES AND FILM PRODUCTION METHOD

APPLICANT(S) FOR DO/EO/US

Laurence PARIS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/539,100</b>		INTERNATIONAL APPLICATION NO. <b>PCT/FR03/003740</b>		ATTORNEY'S DOCKET NUMBER <b>222-05</b>	
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>
24. <input type="checkbox"/> Basic national fee . . . . . \$300				\$	\$0.00
25. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). . . . . \$100 All other situations. . . . . \$200				\$	\$0.00
26. <input type="checkbox"/> Search fee . . . . . \$100 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority . . . . . \$400 International Search Report prepared and provided to the Office . . . . . \$500 All other situations. . . . . \$500				\$	\$0.00
<b>TOTAL OF 24, 25 and 26 =</b>				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0	/50 =	0	x \$250.00	\$ \$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$	\$0.00
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
<b>SUBTOTAL =</b>				\$	\$0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$0.00
				Amount to be	\$
				Amount to be	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>16-0750</b>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Alex R. Sluzas, Reg. No. 28,669 Paul &amp; Paul Two Thousand Market Street Suite 2900 Philadelphia, PA 19103 (215) 568-4900</p>					
				SIGNATURE	
				Alex R. Sluzas	
				NAME	
				28,669	
				REGISTRATION NUMBER	

**PATENT**

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In re patent  
Appln of: Laurence PARIS

Serial No.: 10/539,100

Filing Date: June 15, 2005

Based on: PCT/FR03/003740

International  
Filing Date: December 16, 2003

Title: **USE OF THICKENING AGENTS  
FOR PRODUCING SOFT  
CAPSULES AND FILM  
PRODUCTION METHOD**

Confirm. No.: 9260

Atty. Dkt. No.: 222-05

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

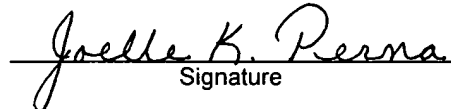
**Certificate of Mailing by Express Mail**

"Express Mail" Label No. EV281504355US  
Date of Deposit: September 9, 2005

I hereby certify that this paper or fee and the papers indicated as being transmitted therewith are being deposited with the United States Postal Service as "Express Mail" Post Office to Addressee in an envelope addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Joelle K. Perna  
(type or print name of person making deposit)

  
Signature

**TRANSMITTAL LETTER**

Please find enclosed the following documents for filing in the U.S. Patent and Trademark Office pursuant to 37 U.S.C. 371:

1. This Transmittal Letter, in duplicate;
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 37 U.S.C. 371, PTO Form 1390 (in duplicate);
3. A copy of the 371 Formalities Letter;
4. Preliminary Amendment; and
5. An acknowledgement post card to be date-stamped and returned to Paul & Paul.

Serial No. 10/539,100  
September 9, 2005  
Page 2

No additional fee is believed to be required. In the event, the Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment, to Paul & Paul Deposit Account No. 16-0750, Order No. 3440.

Respectfully submitted,



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Alex R. Sluzas  
Registration No. 28,669  
Paul & Paul  
Two Thousand Market Street  
Suite 2900  
Philadelphia, PA 19103  
(215) 568-4900

September 9, 2005

Order No. 3440

**DOCKETING**

UNITED STATES PATENT AND TRADEMARK OFFICE

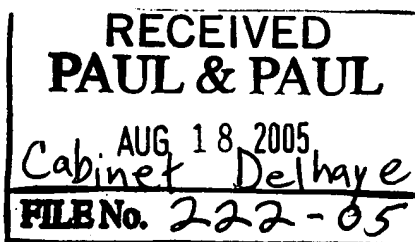
DEC. + REVISED PRE.  
AMEND. DUE: 10/15/05UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,100	Laurence Paris	222-05

Alex R Sluzas  
Paul and Paul  
2900 Two Thousand Market Street  
Philadelphia, PA 19103

ARS  
R&D

INTERNATIONAL APPLICATION NO.	
PCT/FR03/03740	
LA. FILING DATE	PRIORITY DATE
12/16/2003	



CONFIRMATION NO. 9260  
371 FORMALITIES LETTER  
\*OC000000016773893\*  
\*OC000000016773893\*

Date Mailed: 08/15/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/15/2005
- Copy of the International Search Report filed on 06/15/2005
- Copy of IPE Report filed on 06/15/2005
- Preliminary Amendments filed on 06/15/2005
- Information Disclosure Statements filed on 06/15/2005
- Oath or Declaration filed on 06/15/2005
- U.S. Basic National Fees filed on 06/15/2005
- Specification filed on 08/01/2005
- Claims filed on 06/15/2005
- Abstracts filed on 06/15/2005
- Drawings filed on 06/15/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

Additionally the following defects have been observed:

- Preliminary Amendments have not been entered because Amendment filed June 15, 2005 contains non-english text.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CATHERINE D SHORT

Telephone: (703) 308-9140 EXT 220

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,100	PCT/FR03/03740	222-05

FORM PCT/DO/EO/905 (371 Formalities Notice)